

Matthew Burle

From: Linda Park <linda.park@conservancy.co.uk>
Sent: 11 April 2023 11:21
To: Neighbourhood Planning
Cc: Richard Austin; Steve Lawrence
Subject: [EXTERNAL] CHC comments on the Southbourne Modified Neighbourhood Plan 2014-2029
Attachments: Response to Southbourne Parish Council 141222 - pre-submission modified Neighbourhood Plan 2014-2029.pdf

This Message originated outside your organization.

Dear Sir/Madam,

Following the Conservancy's response in December 2022 to the Southbourne Parish Neighbourhood Plan pre-submission modified Plan 2014-2029 consultation; Conservancy Officers have reviewed the latest Southbourne Modified Neighbourhood Plan 2014-2029, to see if our comments have been incorporated in the modified version.

Whilst we are pleased to see that our comments urging the Parish Council to include the AONB designation on the relevant maps has been actioned; we are disappointed that the remaining comments we made, suggesting minor tweaks to strengthen the wording of various policies within the Plan, have not been incorporated/actioned.

We attach our comments again as those relating to the policies within the Plan are still applicable, and we would urge the Council to incorporate the suggested tweaks/additions to the policies, which are mostly of a minor nature in terms of wording changes or additions, but which would have a significant impact by virtue of providing more robust policies which more accurately reflect the status of the AONB as set out in the Countryside and Rights of Way Act 2000, and in paragraph 176 of the NPPF and Local Plan Policy 43.

We also notice that the criteria within Policy SB1: *'avoid actual or perceived coalescence between settlements'* has been deleted – we would urge the Council to reinstate this important criterion which is designed to safeguard landscape character and rural the setting of the AONB.

With regard to the proposed Southbourne Parish Wildlife Corridors set out in the Southbourne Modified Neighbourhood Plan 2014-2029, we fully support these, and we note that those set out in the emerging Local Plan are much narrower than those shown in the Southbourne Modified Neighbourhood Plan 2014-2029. We would urge the Council to incorporate the areas shown in the Southbourne Modified Neighbourhood Plan 2014-2029 Parish Wildlife Corridors into the 'Strategic Wildlife Corridors' within the emerging Local Plan, to be consistent and to allow sufficient protection for these areas which are so vital to our wildlife and wellbeing.

Yours Faithfully,

Linda Park MA MRTPI

Principal Planning Officer

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Contact: planning@conservancy.co.uk



CHICHESTER
HARBOUR
CONSERVANCY

The Clerk to the Council
Southbourne Parish Council
The Village Hall
First Avenue
Southbourne
PO10 8HN

14th December 2022

BY E-MAIL ONLY

Dear Sir / Madam,

**SOUTHBOURNE PARISH NEIGHBOURHOOD PLAN PRE-SUBMISSION MODIFIED PLAN
2014-2029 CONSULTATION**

This letter sets out Chichester Harbour Conservancy's comments on the above consultation. Please note that these have been considered and agreed by the Planning Committee at Chichester Harbour Conservancy, which met on 12th December 2022 to discuss the consultation.

Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for an Area of Outstanding Natural Beauty (AONB). Further details are explained in the Appendix to this response.

General comments

A large proportion of the Southbourne Parish lies within Chichester Harbour AONB. The Countryside and Right of Way (CRoW) Act (2000) sets out the duty of regard to the primary purpose of AONBs, which is to conserve and enhance natural beauty. As such, all relevant policies which affect the AONB should incorporate this requirement, as we set out below with regard to the relevant policies. The AONB Supplementary Planning Document and AONB Management Plan should also be referred to in all the relevant policies to ensure that the AONB has the protection it requires in the legislation as well as in the National Planning Policy Framework (paragraph 176 – '*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.*') This emphasis on conserving and enhancing natural beauty is also reflected in the adopted Local Plan Policy 43. The Southbourne Neighbourhood Plan should reflect this high status of protection afforded to the AONB.

The Policies map and inset maps at the end of the pre-submission modified plan show various designations, including SPA and Ramsar sites, wildlife corridors, and Local Green Spaces, but do not show the AONB designation. This is a serious omission – it is absolutely crucial that the AONB designation is shown, as it affects a significant proportion of the Parish.

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Comments on changes to the policies

Policy SB1 (Development within and outside the settlement boundaries) has been expanded to include key design criteria on which proposals inside the settlement boundaries will need to meet in order to be supported. Conservancy Officers support these additions to SB1, which strengthen the policy; however, we would urge the Parish Council to add a criterion that *any proposal affecting the AONB or its setting should conserve and enhance its natural beauty and scenic qualities.*

Policy SB4 (Design in Southbourne Parish) now includes criterion C which relates to development within Chichester Harbour AONB or its setting, stating that:-

...detailed consideration should be given to the distinctive character and qualities of the AONB consistent with the aims of the AONB Management Plan. Buildings taller than 2 storeys are likely to be visible from the harbour and coastal path and may also be visible from the South Downs National Park. Proposals will be expected to demonstrate how their individual or cumulative effect has avoided significant harm to the AONB or to long views from the SDNP.

The Conservancy is pleased to see this addition to the general design policy, and welcomes the reference to the AONB Management Plan, although we consider that 'avoiding significant harm' suggests that some harm may be acceptable within the AONB. This is inconsistent with legislation and policies in place to protect AONBs – and therefore we would urge the Parish Council to change the wording to require that development **conserves and enhances the natural beauty of the AONB**, to accord with the purposes of designation as set out in the CRoW Act, Local Plan Policy 43 and NPPF paragraph 176.

Policy SB6 (Design and Heritage in Hermitage) includes criteria vi. which requires that proposals have regard to 'the openness of the south of the area and the uninterrupted views towards Chichester Harbour' but does not mention the AONB or the AONB SPD guidance. **Policy SB7 (Design and Heritage in the Prinsted Conservation Area)** includes reference to Chichester Harbour AONB and the AONB SPD. **Policy SB8 (Design and Heritage in Nutbourne West)** mentions open views to Chichester Harbour to the south but again does not mention the AONB or the AONB SPD guidance.

Whilst we support the unpacking of Policy 4 of the made Neighbourhood Plan and the greater detail provided, it is important that, and would be more consistent if, all of these policies refer to *the need to conserve and enhance the special qualities of Chichester Harbour AONB and its setting*, and make reference to the AONB SPD guidance and AONB Management Plan, given that all of these areas are within or a significant proportion of them lies within or adjacent to the AONB. We would therefore urge the Parish Council to incorporate reference to the AONB and the AONB SPD in all of these policies.

Policy SB9 (Heritage Assets) has been amended since SNP2, whereby the wording requiring that proposals should seek to 'conserve and enhance their special interest' has been changed to read:-

'development proposals that may affect the significance of a Local Heritage Asset must take that significance into account in demonstrating that the scale of any proposed harm to or loss of the heritage asset is justified.'

This is a weaker wording which potentially allows harm to a heritage asset, and we would therefore urge the Parish Council to revert to the wording in the February 2021 version of the Neighbourhood Plan which requires that these important buildings are conserved and enhanced. We support the inclusion of appendix C which lists the buildings considered to be non-designated heritage assets.

Policies 3 (The Green Ring) and 7 (Environment) of the SNP1 have been divided into distinct parts in new **policies SB13-SB16 and SB18** ('Green and Blue Infrastructure Network', 'Biodiversity', 'Trees, Woodland and Hedgerows', 'Local Green Spaces' and 'Special Protection Areas and Ramsar Sites').

These new policies are supported as they provide greater detail and protection relating to these important areas, and we are pleased to see the reference to Chichester Harbour AONB made within Policy SB13.

New policies and the deletion of the housing allocation on land east of Southbourne

Policy SB2 (Land north of Cooks Lane, Southbourne village), SB3 (Local Housing Needs), SB17 (Achieving Dark Skies), SB19 (Zero Carbon Buildings) and SB21 (Sustainable Travel) are new policies not included in the 'made' plan (SNP1). Some of these policies were included in SNP2, and others are amended versions.

The Conservancy has no objection to the inclusion of Cooks Lane as an allocation given that it has been allowed on appeal and is a significant distance from the AONB and therefore does not cause harm to its setting (the Conservancy did not object to the reserved matters application in February 2022 - SB/22/00157/REM, which has since been permitted). We are pleased to see the deletion of Policy SB2 from SNP2 which allocated 1,250 homes on land east of Southbourne as this involved a 'quantum leap' (in the words of the Inspector) in the level of development in comparison with the SNP1 or the adopted Local Plan, with the potential to have significantly harmful impacts on the natural beauty and rural setting of the AONB and its nature conservation designations.

The Conservancy supports the inclusion of additional policies to address dark skies and climate change as these critical key issues. We are particularly pleased to see a standalone policy on achieving dark skies which refers to potential impacts on the AONB, although we would urge the Parish Council to amend the wording so that the requirement for an appropriate lighting scheme does not just apply to major development as suggested, but to all developments.

Conclusion

Overall the Conservancy wishes to again congratulate the Parish Council on its hard work in producing such a comprehensive and well-written document, and we support the greater detail and additional policies contained within the pre-submission modified plan (SNP3) in comparison with the 'made' plan (SNP1) and the improvements made in comparison with SNP2.

With the suggested relatively minor modifications set out above which would give greater acknowledgement and weight to the AONB in accordance with legislation and adopted policies, including its inclusion on the maps, we feel that this will be an excellent plan going forward and we therefore hope that an independent examiner will be able to approve the plan in the near future so that the Parish of Southbourne has the adopted guidance and protection it needs until the new Local Plan is adopted.

If you have any queries regarding these comments please do not hesitate to contact me.

Yours sincerely,

Linda Park

**Principal Planning Officer
Chichester Harbour Conservancy**

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